THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.17189 OF 1995

DATED: 05-09-2006

BETWEEN

Sri Visakha Grameena Bank S.C. & S.T.
Welfare Association, reg. by its Secretary
K.S. Prakashrao, Branch Manager of
Denkada Branch, Visakhapatnam.

...PETITIONER

AND

Sri Visakha Grameena Bank,
Srikakulam, rep. by its Chairman,
Srikakulam and others.

...RESPONDENTS

ORDER:

Petitioner is an association of S.C. & S.T. bank employees and it is not seeking any individual relief. It is the case of the petitioner that the reservation policy equally applies to the first respondent bank with regard to promotional posts.

It is the case of the first respondent bank that the petitioner is an association and it is not specified as to who is the actual individual affected. More so, the employees on whose behalf the petitioner filed this writ petition belong to Junior Management Grade I claiming promotion to Middle Management Grade II and it is not their case that they have been ignored in the matter of promotion. Their case is that SC/ST candidates should be given reservations in the matter of promotion. Promotion to Middle Management Grade II depends on certain circulars issued from time to time and there is no reservation policy for promotion to Middle Management

Grade II from Junior Management Grade I. It is stated that they cannot claim reservation out of right as though certain vacancies are reserved for SC/ST.

It is further stated that the Central Government has not fixed any percentage or reservation for SC/ST in the said cadre. However, there is no reservation for the corresponding posts relating to promotion from Junior Management Grade I to Middle Management Grade II. Therefore, the question of giving any reservation to the SC/ST candidates does not arise in the absence of any reservation policy applicable to the said post. It is further stated that in terms of RRB (Promotion and Appointment of Officers and other Employees) Rules, 1998 the promotions are to be effected from the posts of Officers/Branch Managers to the posts of Senior/Area Managers.

The posts are to be filled up by promotion from amongst the officers/Branch Managers only and the promotions will be on the basis of seniority-cum-merit. The method of selection envisages interview and assessment of performance. It is further stated that there are no specification indicated by the Government of India at any time regarding the provision of reservations for SC/ST employees for promotion.

In view of the aforesaid facts and circumstances of the case and as no reservation policy is applicable to the said post, no relief can be granted to the petitioner association. However, if any individual employee is aggrieved with regard to promotions it is always open to him to agitate the same.

The writ petition is accordingly dismissed. No costs.

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V. ESWARAIAH, J

September 5, 2006
DSK